

Express Mail Label No.:
Date of Deposit:

Attorney Docket No. 00960-569 NATL
(CBM-69 NATL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Charette *et al.*
ASSIGNEE: Creative BioMolecules, Inc.
SERIAL NUMBER: 09/509,648 EXAMINER: Not Yet Assigned
FILING DATE: March 30, 2000 ART UNIT: Not Yet Assigned
FOR: ENHANCEMENT OF MORPHOGEN ACTIVITY

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c) – SMALL BUSINESS CONCERN)**

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

**CREATIVE BIOMOLECULES, INC.
45 South Street
Hopkinton, MA 01748**

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 C.F.R. § 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above;
☒ the application identified above; or
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

APPLICANTS:
U.S.S.N.:

Charette
09/509,64

Each person, concern, or organization having any rights in the invention is listed below:



no such person, concern, or organization exists.



each such person, concern, or organization is listed below: ♦

♦ *Note: Separate Statements Claiming Small Entity Status are required from each named person, concern, or organization having rights to the invention. 37 C.F.R. § 1.27.*

Full Name:

Address:

☐ Individual ☐ Small Business Concern ☐ Non-profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: Cheryl Lawton

Title in organization of person signing: Vice President, General Counsel

Address of person signing: Creative BioMolecules, Inc.
45 South Street
Hopkinton, MA 01748

Signature: Cheryl Lawton

Date: July 20, 2000

TRADOCs:1353346.1(T08Y01!.DOC)

Attorney Docket No. 00960-569 NATL
(CBM-69 NATL)

[illegible]

☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application No. <i>(U.S.S.N.)</i>	Filing Date <i>(dd/mm/yy)</i>	Status <i>(Patented, Pending, Abandoned, Expired)</i>
60/063,624	27 October 1997	Expired

PCT International Applications designating the United States:

PCT International Application No.	Filing Date	Status
US98/22655	26 October 1998	Published

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney or Agent	Registration No.	Attorney or Agent	Registration No.
Kevin Ainsworth	<u>39,586</u>	Kristin E. Konzak	<u>44,848</u>
Ingrid Beattie	<u>42,306</u>	Cynthia Kozakiewicz	<u>42,764</u>
David B. Bernstein	<u>32,112</u>	Barry Marenberg	<u>40,715</u>
Naomi Biswas	<u>38,384</u>	William Marino	<u>44,219</u>
David F. Crosby	<u>36,400</u>	Leslie Meyer-Leon	<u>37,381</u>
James G. Cullem	<u>43,569</u>	A. Jason Mirabito	<u>28,161</u>
Brett N. Dorny	<u>35,860</u>	Michel Morency	<u>Limited Recognition</u>
Marianne Downing	<u>42,870</u>	Bradley Olson	<u>40,750</u>
Ivor R. Elrifi	<u>39,529</u>	Carol H. Peters	<u>45,010</u>
Heidi A. Erlacher	<u>45,409</u>	John T. Prince	<u>43,091</u>
Christina Gadiano	<u>37,628</u>	Michael Renaud	<u>44,299</u>
John A. Harre	<u>37,345</u>	Brian Rosenbloom	<u>41,276</u>
Shane Hunter	<u>41,858</u>	Thomas M. Sullivan	<u>39,392</u>
David E. Johnson	<u>41,874</u>	Howard Susser	<u>33,556</u>
Kris Kalidindi	<u>41,461</u>	Shelby J. Walker	<u>45,192</u>
Christina Karnakis	<u>45,899</u>	Martin M. Zoltick	<u>35,745</u>
Robert Klauzinski	<u>42,742</u>		

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, One Financial Center, Boston, Massachusetts 02111, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Ivor R. Elrifi at telephone number 617/348-1747.

Address all correspondence to:

Ivor R. Elrifi
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111

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Inventor's Signature

7/24/00

Date

Full Name of Inventor: Mark F. Charette

Citizenship: U.S.A.

Residence: 18 Ellicot Street, Needham, MA 02192

Post Office Address: 18 Ellicot Street, Needham, MA 02192

MA

Inventor's Signature

Date

Full Name of Inventor: David C. Rueger

Citizenship: U.S.A.

Residence: 81 Pine Hill Road, Southborough, MA 01772

Post Office Address: 81 Pine Hill Road, Southborough, MA 01772

MA

Inventor's Signature

Date

Full Name of Inventor: Dennis Higgins

Citizenship: U.S.A.

Residence: 56 Hilton Boulevard, Amherst, New York 14226

Post Office Address: 56 Hilton Boulevard, Amherst, New York 14226

NY

[illegible]



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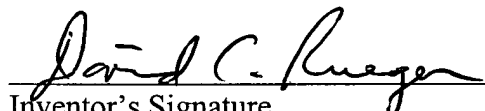
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Inventor's Signature
Full Name of Inventor: Mark F. Charette
Citizenship: U.S.A.
Residence: 18 Ellicot Street, Needham, MA 02192
Post Office Address: 18 Ellicot Street, Needham, MA 02192

Date


Inventor's Signature
Full Name of Inventor: David C. Rueger
Citizenship: U.S.A.
Residence: 81 Pine Hill Road, Southborough, MA 01772
Post Office Address: 81 Pine Hill Road, Southborough, MA 01772

9-29-00

Date

Inventor's Signature
Full Name of Inventor: Dennis Higgins
Citizenship: U.S.A.
Residence: 56 Hilton Boulevard, Amherst, New York 14226
Post Office Address: 56 Hilton Boulevard, Amherst, New York 14226

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TRADOCS:1339191.1(SPBR01!.DOC)

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Inventor's Signature

8-12-00

Date

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Citizenship: U.S.A.

Residence: 56 Hilton Boulevard, Amherst, New York 14226

Post Office Address: 56 Hilton Boulevard, Amherst, New York 14226